

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA

UNITED STATES OF AMERICA)
) Criminal No. 08-215
 v.) [UNDER SEAL]
) (18 U.S.C. §§ 922(g) (1) and
 MARVIN E. HALL) and 2(a) and
 MELISSA A. HUET) 26 U.S.C. § 5861(e))

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U.S. DISTRICT COURT
CLEVELAND

INDICTMENT

COUNT ONE

The grand jury charges:

On or about January 11, 2008, in the Western District of Pennsylvania, the defendant, MARVIN E. HALL, after having been convicted on or about March 12, 1999, in the United States District Court for the Western District of Pennsylvania, at Criminal No. 98-14, of the crime of Possession of Unregistered Firearms, an offense which is punishable by a term of imprisonment in excess of one year did knowingly possess in and affecting interstate commerce firearms, a Stevens 12 gauge shotgun and an SKS assault rifle.

In violation of Title 18, United States Code, Section 922(g) (1) .

COUNT TWO

The grand jury further charges:

On or about January 11, 2008, in the Western District of Pennsylvania, the defendant, MARVIN E. HALL, did knowingly and unlawfully transfer firearms, as defined in Title 26, United States Code, Sections 5845(a) and 5845(f)(1)(F), that is, destructive devices consisting of two exploding golf balls, without having filed with the Secretary of the Treasury a written application for the transfer and registration of said devices to the transferee, in violation of the provisions of Title 26, United States Code, Section 5812(a), well knowing that said devices functioned as explosive devices.

In violation of Title 26, United States Code, Section 5861(e).

COUNT THREE

The grand jury further charges:

From on or about August 10, 2007, to on or about January 11, 2008, in the Western District of Pennsylvania, the defendant, MELISSA A. HUET, knowingly and unlawfully aided and abetted the possession of a firearm, that is an SKS assault rifle, in and affecting interstate commerce, by Marvin E. Hall, who had previously been convicted on or about March 12, 1999, in the United States District Court for the Western District of Pennsylvania, at Criminal No. 98-14, of the crime of Possession of Unregistered Firearms, an offense which is punishable by a term of imprisonment in excess of one year.

In violation of Title 18, United States Code, Sections 922(g) (1) and 2.

FORFEITURE ALLEGATION

1. The Grand Jury re-alleges and incorporates by reference the allegations contained in Counts One and Three of this Indictment for the purpose of alleging criminal forfeiture pursuant to Title 18, United States Code, Section 924(d), and Title 28, United States Code, Section 2461(c).


2. As a result of the knowing commission of the violation of Title 18, United States Code, Section 922(g)(1), charged in Counts One and Three of the Indictment, the firearms alleged in those Counts, that is, the Stevens 12 gauge shotgun, unknown serial number, and the SKS assault rifle, unknown serial number, which were involved and used in the knowing commission of those offenses, are subject to forfeiture, pursuant to Title 18, United States Code, Section 924(d)(1).

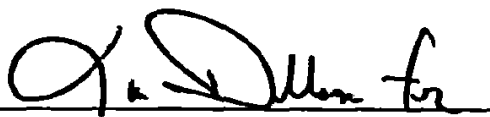
3. If, through any act or omission by the defendants, MARVIN E. HALL and MELISSA A. HUET, the property described in paragraph 2 above (hereinafter the "Subject Property"):

- a. Cannot be located upon the exercise of due diligence;
- b. Has been transferred, sold to, or deposited with a third person;
- c. Has been placed beyond the jurisdiction of the Court;
- d. Has been substantially diminished in value; or

e. Has been commingled with other property which cannot be subdivided without difficulty, the United States intends to seek forfeiture of any other property of the defendants, MARVIN E. HALL and MELISSA A. HUET, up to the value of the Subject Property forfeitable above pursuant to Title 18, United States Code, Sections 924(d)(1), Title 21, United States Code, Section 853(p) and Title 28, United States Code, Section 2461(c).

A True Bill,


FOREPERSON


MARY BETH BUCHANAN
United States Attorney
PA ID No. 50254